

(B) Those parts of the charging system which the applicant wishes not to be disclosed to the public because they are considered business sensitive, e.g., "trade secrets," shall be kept completely separate from the balance of the application, along with a full justification of their non-disclosability. The Commission will consider any request for these records under the Freedom of Information Act.

(C) The FMC will evaluate the charging system within sixty (60) calendar days after submission and approval will be assumed unless the FMC otherwise formally notifies the applicant within the sixty-day period.

(D) The database tapes of ATFI may not be made available to any person until its charging system is approved by FMC.

(ii)(A) Every person who is authorized to purchase ATFI database tapes under paragraph (m)(2)(i) of this section shall maintain those records described in paragraph (m)(2)(i)(A)(4) of this section until October 1, 1998.

(B) The FMC or its representatives shall have the right to examine and audit all records described in paragraphs (m)(2)(i)(A)(4) and (m)(2)(ii)(A) of this section, for the purpose of evaluating the accuracy and completeness of the reports required by this paragraph. The right of examination shall extend to all documents and other data, regardless of form, necessary to permit adequate evaluation of the reports submitted, along with the computations used.

(iii)(A) Any person having an ATFI database tape may access by computer the data contained therein for its own use, and/or may permit others to access by computer the data, but only if it records all such access and pays to the FMC the 46-cents-a-minute user charges for all computer access to such data, as prescribed in paragraph (g)(1)(ii) of this section under the approved charging system described in paragraph (m)(2)(i) of this section.

(B) The access of data on paper, e.g., that which has been printed or written on the paper, is not subject to the indirect (secondary) user fee under this paragraph, even if subsequently converted into computer, e.g., database, format.

(iv) No person having an ATFI database tape may allow downloading of the data contained therein other than by an effectively-designed and functioning "Print-Screen" function, which allows printing of one screen at a time onto paper.

(v) Billing and Payment.

(A) Within ten (10) calendar days after the end of each month, each database-tape purchaser under paragraph (m)(2)(i) of this section shall transmit to the Office of Budget and Financial Management, Federal Maritime Commission, 800 North Capitol Street, NW, Washington, DC 20573-0001, a report of all computer access to ATFI data listed by user, date and minutes accessed. Each such purchaser shall simultaneously transmit payment to "the Federal Maritime Commission" for such usage at the rate of 46 cents per minute.

(B) If payment is not made when due, the database purchaser under paragraph (m)(2)(v)(A) of this section may be assessed interest, penalties and administrative costs associated with collection of late payments in accordance with the Federal Claims Collection Standards, 4 CFR 102.13. The FMC intends to utilize the provisions of the Debt Collection Act, 5 U.S.C. 5514, including disclosure to consumer reporting agencies, to ensure prompt payment.

(C) The FMC reserves the right to suspend or terminate furnishing ATFI data tapes to any person if payment is not timely made.

[57 FR 36271, Aug. 12, 1992, as amended at 58 FR 30, Jan. 4, 1993; 58 FR 30715, May 27, 1993; 59 FR 59171, Nov. 16, 1994; 59 FR 63908, Dec. 12, 1994; 60 FR 56124, Nov. 7, 1995]

**§514.91 OMB control numbers assigned pursuant to the Paperwork Reduction Act.**

The information collection requirements contained in these regulations (46 CFR part 514 and Exhibit 1 to part 514) have been approved by the Office of Management and Budget [OMB] in accordance with 44 U.S.C. chapter 35 and have been assigned OMB control number 3072-0055.

• OMB 3072-0055; Expires 9-30-94 •

Exhibit 1 to Part 514

ORG NO. \_\_\_\_\_

**ATFI USER REGISTRATION FORM**PLEASE TYPE OR PRINT  
(SEE INSTRUCTIONS)FMC USE ONLY  
ARC \_\_\_\_\_ BOND \_\_\_\_\_ CC \_\_\_\_\_1. This Registration is: ☐ Initial ☐ Amendment (Specify change) \_\_\_\_\_2. Registrant  
\_\_\_\_\_  
Full Legal Name of firm (or individual, if not a firm)  
\_\_\_\_\_  
(Doing Business As)3. Address of Home Office  
\_\_\_\_\_  
(Number and Street) Telephone \_\_\_\_\_  
\_\_\_\_\_  
(Number and Street) Fax \_\_\_\_\_  
\_\_\_\_\_  
(City/State/Country)4. Billing Address If Different  
\_\_\_\_\_  
(Number and Street) Telephone \_\_\_\_\_  
\_\_\_\_\_  
(Number and Street) Fax \_\_\_\_\_  
\_\_\_\_\_  
(City/State/Country)

5. Organization Number (If known) \_\_\_\_\_ 6. SCAC/STAC CODE \_\_\_\_\_ (If Applicable)

7. Registrant Type ☐ VOCC ☐ Terminal ☐ Tariff Publisher/Agent/Other  
(Check one) ☐ NVOCC ☐ Conference/Joint Service

[SEE INSTRUCTIONS BEFORE COMPLETING LINE 8]

8. Permissions Requested and Person granted these permissions (Check permissions that apply)

\_\_\_\_\_  
Print Full Legal Name  
☐ Retrieval ☐ Create/modify tariff data  
☐ Maintenance of organization record ☐ Review/Authorize/Transmit data9. Certified for Batch Filing (Y/N) \_\_\_\_\_ If Yes, show Certification date \_\_\_\_\_  
If the person to perform the Batch filing already has an existing Login, list only the Login for that person.  
Existing Login \_\_\_\_\_\_\_\_\_\_  
Signature of Authorized Official  
\_\_\_\_\_  
Date  
\_\_\_\_\_  
Print or Type name of Authorized Official**FMC USE ONLY**Login \_\_\_\_\_ Initial Password \_\_\_\_\_ User ID \_\_\_\_\_ Directory \_\_\_\_\_  
Form FMC-63 (5-92) Date Asg \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Asg By \_\_\_\_\_

**Instructions for Exhibit 1 to Part 514  
ATFI User Registration Form**

**Line 1. Registration.** Indicate whether this is the initial (first-time) ATFI registration or an amendment to an existing ATFI registration.

**Line 2. Registrant.** This must be the full legal name of the firm or individual registering for ATFI and any trade names. The registrant name should match the corporate charter or business license, anti-rebate certification, surety bond, conference memberships, etc. It should be noted that the registrant name cannot be changed by the user after registration without submission of an amended registration form. A separate form must be submitted for each person registering to use ATFI.

**Line 3. Address of Home Office.** The complete street address should be shown in addition to the Post Office Box.

**Line 4. Billing Address if Different.** This should be completed when the billing address differs from the home office address. Show the street address in addition to the post office box.

**Line 5. Organization Number.** Complete if known. (This is also known as the Regulated Person Index number or RPI number).

**Line 6. SCAC/STAC Code.** SCAC (Standard Carrier Alpha Code) and STAC (Standard Tariffs Agent Code) is not mandatory for tariff filing in ATFI. These codes are used for the convenience of tariff filers/retrievers. SCAC/STAC codes are available from the National Motor Freight Traffic Association, Alexandria, VA.

**Line 7. Registrant Type.** Indicate the type of organization. A company cannot be more than one type. This data cannot be changed by the user after registration without submission of an amended registration form.

**Line 8. Permissions Requested and Person Granted these Permissions.**

Retrieval - Granted to all ATFI user(s).

Maintenance of Organization Record - The user listed can access the organization maintenance functions, i.e., modify organization information, assign publishers, affiliations, and doing-business-as (DBAs).

Create/Modify Tariff Data - The user is permitted to use the interactive system to enter tariff data.

Review/Authorize/Transmit Data (Interactive filing only) - The user may review previously entered, but not yet filed, tariff data. They may place data on a hold status, remove from the hold status, and may transmit data to ATFI.

**Line 9. Certified for Batch Filing.** The user is permitted to submit batch filings. The registrant must first be certified for batch filing as outlined in 46 CFR 514.8(l)(1) & (2). After certification, the registrant can submit an amended registration form to request permission for a person in their organization to perform the batch filing. If the person already has an existing login, the login (not the password) should be listed on the requesting form. Also, the certification date received from the Federal Maritime Commission should be listed on the requesting form.

\* Public reporting burden for this collection of information is estimated to average 40 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Norman W. Littlejohn, Director, Bureau of Administration, FMC, Washington, DC 20573; and to the Office of Information and Regulatory Affairs, OMB, Washington, DC 20503. \*

*Send completed form with appropriate user charge under 46 CFR 514.21 to BTCL, FMC, Washington, DC 20573.*

**BILLING CODE 6730-01-C**

Pt. 514, Exh. II

EXHIBIT II TO PART 514

*Sample Abbreviated Format Service Contract*

Service Contract No.: SC 1-95  
FMC File No.: 50,000  
Essentials Terms No.: ET 1-95  
Amendment No.: \_\_\_\_\_  
Service Contract Essential Terms Publication No.: 003  
Tariff(s) of General Applicability No.: 001, 002  
Carrier/Conference Name: Efficient Liner Transportation, Inc.  
Carrier/Conference Address: 1227 Seaway Drive, Washington, DC 20573

and

Shipper Name: ABC Electronics Company  
Shipper Address: 7221 Happiness Lane, New York, NY 10001

This is a service contract pursuant to the Shipping Act of 1984 (46 U.S.C. app. 1701 *et seq.*) and FMC rules at 46 CFR Part 514, between "CARRIER/CONFERENCE" and "SHIPPER" parties named herein. The contract parties certify that the terms set forth herein and the essential terms as published in Carrier/Conference Service Contract Essential Terms Tariff No. 003, ET No. 1-95, in the Federal Maritime Commission's Automated Tariff Filing and Information System, constitute the true and complete copy of all aspects of this contract and are hereby incorporated by reference.

Further, shipper party named herein certifies its status and that of any affiliate(s)/subsidiary(ies) named herein as (check appropriate box(es):

NVOCC \_\_\_\_\_  
Shippers' Association \_\_\_\_\_  
Owner of Cargo \_\_\_\_\_  
Other (Please specify) \_\_\_\_\_

Records maintained to support shipments under this service contract are: bills of lading, shipping manifests, and other related written correspondence between contract parties.

Contact person for records in the event of a request by the Federal Maritime Commission: Efficient Liner Transportation, Inc., Traffic Manager, 1227 Seaway Drive, Washington, DC 20573, (202) 523-5856.

\_\_\_\_\_  
(Carrier/Conference Signature)

\_\_\_\_\_  
Date  
Efficient Liner Transportation, Inc.

\_\_\_\_\_  
(Shipper Signature)

\_\_\_\_\_  
Date  
ABC Electronics Company  
Affiliate of shipper: Quality Compact Discs, Inc.

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Affiliate's address: 7221-A Happiness Lane, New York, NY 10001

[61 FR 5311, Feb. 12, 1996; 61 FR 14979, Apr. 4, 1996]

**PART 540—SECURITY FOR THE PROTECTION OF THE PUBLIC**

**Subpart A—Proof of Financial Responsibility, Bonding and Certification of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation**

Sec.

540.1 Scope.

540.2 Definitions.

540.3 Proof of financial responsibility, when required.

540.4 Procedure for establishing financial responsibility.

540.5 Insurance, guaranties, escrow accounts, and self-insurance.

540.6 Surety bonds.

540.7 Evidence of financial responsibility.

540.8 Denial, revocation, suspension, or modification.

540.9 Miscellaneous.

FORM FMC-131

FORM FMC-132A

FORM FMC-133A

APPENDIX A TO PART 540—EXAMPLE OF ESCROW AGREEMENT FOR USE UNDER 46 CFR 540.5(b)

**Subpart B—Proof of Financial Responsibility, Bonding and Certification of Financial Responsibility To Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages**

540.20 Scope.

540.21 Definitions.

540.22 Proof of financial responsibility, when required.

540.23 Procedure for establishing financial responsibility.

540.24 Insurance, surety bonds, self-insurance, guaranties, and escrow accounts.

540.25 Evidence of financial responsibility.

540.26 Denial, revocation, suspension, or modification.

540.27 Miscellaneous.

FORM FMC-132B

FORM FMC-133B

**Subpart C—General**

540.91 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

AUTHORITY: 5 U.S.C. 552, 553; 31 U.S.C. 9701; secs. 2 and 3, Pub. L. 89-777, 80 Stat. 1356-1358